

October 27, 1995

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**BY HAND\***

Chairman Reed E. Hundt\*  
Federal Communications Commission  
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

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Re: THE SECOND CHANNEL MYTH IN DIGITAL TV CONVERSION

Reply Comments in MM Docket No. 87-268 (Advanced  
Television Systems and Their Impact Upon the Existing  
Television Broadcast Service)

Dear Mr. Chairman:

My name is Richard D. Bogner, and I am Technical Director and partner of Island Broadcasting Co. ("Island"), a low power television ("LPTV") company which, since 1985, has been providing a diverse array of live creative LPTV programming to ethnic and minority viewing audiences in the New York City metropolitan area and Long Island via what are now three LPTV stations. I am also a designer and former manufacturer of broadcast antennas (the "Bogner" in Bogner Broadcast Equipment Corp.), and I have participated in Commission rulemaking and broadcast application proceedings and in broadcast trade association advisory groups for many years.

The purpose of this letter is to suggest that the Commission should seriously consider an approach to ATV conversion which puts the entire process in the hand of the Commission alone, obviates the need for Congressional and/or special-interest involvement, eliminates myriad technical and economic problems, and allows immediate auctioning of all unused VHF and UHF spectrum.

A very potent argument can be made for achieving a change to all-digital TV, with a full six MHz remaining available for HDTV, without use of a second channel, by simply picking a date and requiring all licensed VHF and UHF TV stations to convert to digital TV on that date, using their present transmitters (switching to a new modulator), present antenna and tower, and present six MHz channel, in conjunction with new NTSC/ATV receivers or inexpensive TV set-top converters. (Indeed, cable DBS, MMDS, video dialtone, etc. viewers would probably not have to convert at all).

I respectfully urge that the following drawbacks to establishing a second channel for digital TV and the following benefits of

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the alternative set-top converter single-channel approach (which I am recommending) be examined before the Commission makes any final decision as to how to proceed:

Drawbacks of a Second Channel for Digital TV

1. Towers or tower space is unavailable in many areas due primarily to current concerns about radiation, etc.;
2. Manufacture of 1400+ new transmitters, transmitting antennas, transmission lines, etc. cannot be done quickly;
3. Experienced installation crews are even more scarce;
4. Implementation delays and high costs due to numerous court challenges are certain, especially if broadcasters are permitted multiple ATV channel use; and
5. There is still much dispute about the best ATV system, and many groups and individuals consider this approach to digital TV very premature.

Benefits of a Current-Channel Digital TV System

1. The need to find 6 MHz of non-interfering TV bandwidth for every TV station is eliminated (and apparently this cannot be done in an all-UHF ATV Table of Allotments, anyway);
2. The Commission can immediately auction off a large unused part of the UHF spectrum. Any future repacking will require only a single-channel change;
3. There will be no need to revoke the licenses of any LPTV or translator stations;
4. By the digital conversion date, everyone receiving over-the-air TV would either have a new NTSC/ATV switchable TV, or a cheap set-up converter (probably under \$100, more likely under \$50 in large quantities);
5. Cable, DBS, video dialtone, and MMDS TV program distributors will have many choices for their conversions, and won't have to send both channels (i.e., NTSC and ATV for each TV station) to their subscribers;
6. The best ATV system and broadcasting plan can be chosen,

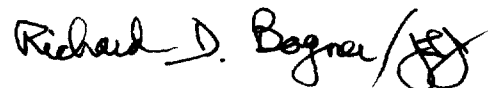
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and be compatible with film, computer, etc.;

7. The costs to American consumers and to broadcasters will be very much lower; in fact there is serious doubt that the United States can afford the current plan of scrapping billions of dollars in existing TV hardware;
8. If TV stations decide to use compression to offer multiple channels or other services, there will be no claim of "spectrum stealing", which a second channel invites, and the very real probability that broadcasters would try everything to keep a second channel on a permanent basis is eliminated;
9. An all-UHF ATV system was never really possible - some VHF channels are a must in any ATV Table of Allotments, and there are thousands of VHF translators and LPTV's which could only be accommodated in a single-channel digital solution; and
10. A set-top box would probably be needed, even with the present plan, for multiple channel ATV.

I suggest January 1, 2000 as the date to start Twenty-First Century television, and about one year from now to hold the 100 billion dollar plus auction of unused UHF and VHF TV spectrum! We must rethink the ATV conversion plan based on current facts!

Sincerely,

A handwritten signature in black ink, appearing to read "Richard D. Bogner" followed by a stylized flourish or initials.

Richard D. Bogner

cc: Commissioner James H. Quello  
Commissioner Andrew C. Barrett  
Commissioner Rachelle Chong  
Commissioner Susan Ness  
William F. Caton, Acting Secretary (Original & Five Copies)